

Exhibit 17

1777.
The first Year
of the Com-
monwealth.

L A W S

Enacted in the second sitting of the first general assembly of the commonwealth of *Pennsylvania*, which commenced at *Philadelphia*, the 12th day of *May*, 1777, and continued to the 19th day of *June* in the same year.

C H A P T E R XX.

A supplement to the act, intitled, "An Act for making the continental bills of credit, and the bills of credit emitted by resolves of the late assemblies, legal tender, and for other purposes therein mentioned."

Preamble. SECTION I. WHEREAS in the act of general assembly of the commonwealth of Pennsylvania, passed the twenty ninth day of January last past, intitled, "An Act for making the continental bills of credit and the bills of credit emitted by the resolves of the late assemblies, legal tender; and for other purposes therein mentioned," no mention is made, in express words, of bodies politic and corporate; for which reason, it has been construed by some persons that such bodies are not comprehended within the meaning of the said act: In order therefore, that the said bills of credit, and also the bills of credit emitted, and to be emitted, by virtue of an act, intitled, "An Act for emitting the sum of two hundred thousand pounds, in bills of credit, for the defence of this state; and providing a fund for sinking the same by a tax on all estates real and personal and on all taxables within the same," shall be alike taken and made current

THOMAS WHARTON, Jun. Esq. President.

123

persons who assert the same, and shall be heard and finally determined by the county commissioners of Philadelphia for the time being, or any two of them, at such time and place as they shall appoint.

1778.

The second Year
of the Common-
wealth.

JOHN BAYARD, SPEAKER.

Enacted into a law at Lancaster, the 27th day of March, 1778.

JOHN MORRIS, junior, clerk of the general assembly.

CHAPTER LX.

An ACT for regulating the prices of the several articles herein mentioned for a limited time.

Pasled April 1st, , 1778. Recorded in Law Book Vol. I. Page 190, &c.
Repealed September 9th, 1778.

CHAPTER LXI.

An ACT for the further security of the government. See chapter 78, 87 and

SECTION I. WHEREAS the welfare and happiness 117. Preamble.

W of the good people of this common- wealth, do, next under God, entirely depend upon the maintaining and supporting the independence and sovereignty of the state, as declared by congress :

SECT. 2. Be it therefore enacted, and it is hereby enacted All persons by the representatives of the freemen of the commonwealth of Pennsylvania, in general assembly met, and by the authority of the same, That all male white inhabitants of this state above the age of eighteen years, who have not hitherto taken the oath or affirmation mentioned and appointed to be taken in the act of assembly, intitled, "An Act obliging the male white inhabitants of this state to give assurances of allegiance to the same, and for other purposes therein mentioned," enacted the thirteenth day of June last, shall, on or before the first day of June next, take and subscribe the same in manner and form as by the said act is directed; and that every such person, neglecting to take the said oath or affirmation, shall, during the time of such neglect, be liable to all the disabilities, incapacities and penalties to which they are subjected by the said act; and also shall be disabled, from and after the said day, to sue or use any action, bill, plaint or information, in course of law,

Penalties
and disabi-
lities.

HIS EXCELLENCY

1778.
 The second Year
 of the Common-
 wealth.

law, or to prosecute any suit in equity or otherwise howsoever, or to be guardian of the person or estate of any child, or executor or administrator of any person, or capable of any legacy or deed of gift, or to make any will or testament, and moreover shall be liable and compelled to pay double the taxes, which another person of equal estate, who has taken such oath or affirmation, shall be rated or assessed at, to be levied by the collector of the public taxes of the township, ward or district in which such offender dwells.

Persons in-
 capacitated
 if they do
 not take
 the oath,
 &c.

SECT. 3. *And be it further enacted*, That all trustees, provosts, rectors, professors, masters and tutors of any college or academy, and all schoolmasters and ushers; merchants and traders; and every person who shall act as serjeant at law, counsellor at law, barrister, advocate, attorney, solicitor, proctor, clerk or notary, by practising in any manner as such in any court or courts whatsoever; apothecary or druggist, and every person practising physic or surgery in any manner for fee or reward; who shall at any time after the first day of June next, be admitted into or enter upon any of the beforementioned preferments, offices or places, or shall come into any such capacity, or shall take upon him or them any such practice, employment or business as aforesaid, without having first taken and subscribed the beforementioned oath or affirmation, he or they shall be *ipso facto* adjudged incapable and disabled in law, to all intents and purposes whatsoever, to have, occupy or enjoy the said preferment or preferments, office or offices, employment or employments, or any part of them, or any matter or thing aforesaid, or any profit or advantage appertaining to them, or any of them; and every such office or place of trust shall be void, and is hereby adjudged void; and any person that shall be lawfully convicted of the premises, or any of them, in or upon any presentment or indictment in any court of record in this state, shall also forfeit any sum, not exceeding five hundred pounds, which the court shall adjudge, together with costs, one half of which said fine shall go to the use of the state, and the other half to him, her or them who shall commence and carry on such prosecution with effect.

Penalty.

Justices
 may sum-
 mon any
 person ne-
 glecting,

SECT. 4. *And be it further enacted*, That from and after the said first day of June next, it shall and may be lawful for two or more justices of the peace within any county, to direct their precept to any constable or other officer, to summon any male white person, of the age of eighteen years or upwards, who shall have neglected to take and subscribe

THOMAS WHARTON, Jun. Esq. President.

125

subscribe the oath or affirmation before mentioned, to appear before such justices, at such time and place as shall be mentioned in such precept, to take the said oath or affirmation; and if such person so summoned shall not appear at the time and place, having no lawful let or impediment, or appearing shall refuse or neglect to take such oath or affirmation, being tendered to him by the said justices, the said justices shall commit such person making default or refusing to take the said oath or affirmation, to the common goal or house of correction, there to remain without bail or mainprise for the space of three months, unless such offender shall pay down to such justices such sum of money, not exceeding ten pounds, as the said justices shall require such offender to pay, together with legal costs, which money, exclusive of the costs, shall be paid to the overseers of the poor of the city, borough or township where such offender did last inhabit; or if such offender shall refuse or neglect to pay such sum of money, the said justices may cause the said sum of money, together with the costs, to be levied by distress and sale of the goods and chattels of such offender, as they in their discretion shall think best; and unless such offender shall become bound with two sufficient sureties, with condition to appear at the next court of general quarter sessions of the peace to be holden for such county where such offender shall inhabit or reside, and in the mean time to be of good behaviour; at which court the said oath or affirmation shall be tendered to such offender by the justices in their open sessions; and if upon such tender, such offender shall refuse to take the said oath or affirmation, the same shall be recorded, and the said offender shall, within thirty days after such refusal, depart this state under the direction of the court, and he shall incur the forfeiture of his goods and chattels to the state, and of all his lands and tenements to the person or persons who would by law be entitled to inherit the same in case such offender was dead intestate; *Provided*, That if such person or persons is a male or are males, and of the age of eighteen years or upwards, and resident within such county, he or they do some time during the same or the next sessions, or, if resident in any other county of this state, at or before the third sessions, appear in court and take and subscribe the oath or affirmation aforesaid, or produce a certificate or certificates of his or their having previously taken and subscribed the same, which shall be entered by the clerk of the said court on the docquet or records thereof, and an authentic copy of such entry shall be by such clerk delivered to such person or persons under

1778.
 The second year
 of the Commonwealth.

and on re-
 fusal to
 swear, &c.
 may com-
 mit.

Proviso.

H I S E X C E L L E N C Y

1778.

The second Year
of the Common-
wealth.

the seal of the court, for which he shall receive the sum of seven shillings and six pence, and no more; and if such person or persons is or are absent out of this state at such sessions when such refusal shall be recorded as aforesaid, and shall return into the same on or before the fourth day of July which will be in the year one thousand seven hundred and seventy nine, then he or they shall appear in court before the end of the second sessions after his or their return into this state, and take and subscribe the said oath or affirmation, or produce a certificate or certificates of his or their having previously done the same; and in case of default herein, such person and persons shall be totally excluded and barred from inheriting the aforesaid lands and tenements, or any part thereof, and the same shall vest in and be settled upon the next representative or representatives in succession to the offender, qualifying him or themselves as above directed.

Persons not
swearing,
shall deliver
up their
arms, &c.

SECT. 5. *And be it further enacted,* That every such person who shall refuse or neglect to take the oath or affirmation before mentioned on or before the said first day of June next, and shall refuse or neglect to deliver up his arms to the lieutenant, or one of the sublieutenants, of the city or county where he inhabits, on or before the tenth day of June next, or who shall, from and after the same day last mentioned, carry any arms about his person or keep any arms or ammunition in his house or elsewhere, shall forfeit the said arms and ammunition to the state, and also double the value thereof to such person or persons who shall discover the same to any justice of the peace of the county where such offender resides, and shall legally prosecute him to conviction before two or more justices of the peace for the said county, who are hereby authorised, impowered and required to hear, try, and finally determine the same, and to award the legal costs without appeal to the supreme or any other court whatsoever.

No persons
shall go to
Philadel-
phia.

SECT. 6. *And whereas* many persons have frequently gone into the city of Philadelphia, since the same has been in possession of the British army, under a pretence of business, or of visiting friends, but probably with a view of giving intelligence to the enemy. For the prevention of which in future, *Be it enacted,* That if any person whatsoever shall, from and after the publication of this act, on any pretence whatsoever, go by land or water through or from any part of this state into the said city, whilst in possession of the British army, or within the lines of the enemy in any part of this state, without obtaining leave in writing for that purpose from congress, the commander in chief

of

THOMAS WHARTON, Jun. Esq. President.

127

of the armies of the united states of America, or of the executive council of this commonwealth, and shall be lawfully convicted thereof in any court of oyer and terminer and general goal delivery, or court of quarter sessions of the peace for any county of this state, he or she shall be fined in any sum, not less than fifty pounds, and imprisoned at the discretion of the court, one moiety of which fine shall be to the use of the state, and the other moiety thereof to the use of the informer. *Provided always,* That officers and soldiers, or mariners, in the service of the united states of America, are not to be deemed or taken to be within the intent and meaning of this clause.

SECT. 7. And be it enacted by the authority aforesaid, That all disabilities and incapacities which any person or persons shall incur or be liable to by reason of the said recited act of the thirteenth day of June last, or of the supplement thereto of the twelfth day of October last, or of this act, shall be and continue, for and during the life of the delinquent or offender.

SECT. 8. And whereas there are divers persons who have heretofore held and exercised office or offices of trusts in the late government of Pennsylvania by commission or commissions granted under the authority of the crown of Great Britain, who have neglected to renounce the same and give assurance of allegiance to this state, and who may think themselves bound by their oath to betray, as far as in them lieth, this free and independent state into the hands of its enemy the king of Great Britain, to the great and manifest danger of the state: *Be it therefore enacted,* That all and every person and persons who now are, or who shall hereafter during the present war be within this state, who have heretofore held and exercised, or who do now hold or exercise, any office or offices by commission or commissions under the authority of the said crown of Great Britain, and who have not already renounced the same, by taking the oath of allegiance to this state, or to some other of the united states of America, or who shall not, on or before the first day of June next, or within ten days after he or they shall come into the same, renounce such commission or commissions by taking the oath of allegiance by the said act enacted the thirteenth day of June last, or by the supplement to the said act enacted the twelfth day of October last, required to be taken, shall forfeit his or their goods and chattels, lands and tenements, to the use of the state, and shall be deemed and taken to be, and shall in all other respects be treated as an enemy or enemies of the state.

SECT. 9. Provided always, nevertheless, That any per-

1778.
The second Year
of the Common-
wealth.The pe-
nalty.

Proviso.

Duration of
the disabi-
lities.Persons
commission-
ed under
the king of
Great Bri-
tain, shall
forfeit, un-
less, &c.

1778.

*The second Year
of the Comm.
w.r.t.b.*

*Proviso, as
to those
who shall
apply for
leave to sell.*

son or persons, except those who have been or shall be guilty of treason or misprision, who shall choose to sell his or their estates real, and retire out of the state, and shall, on or before the first day of June next, apply to the executive council of this state, and pray leave to sell and convey their estates real, it shall and may be lawful for the said council, if they shall think it proper and consistent with the safety of the state, to grant, and they are hereby authorised and impowered to grant a permission under the great seal of the state, and signed by the president or vice president in council, to such person and persons to sell, convey and confirm, within ninety days after such application, his or their estates real, to any person or persons, their heirs and assigns, for ever; which person and persons shall have taken the oath or affirmation of allegiance to this state, which by the act and supplement mentioned in this act is required to be taken, and who shall before some one justice of the peace of this state, on oath or affirmation declare, that the purchase and grant of such estate or estates were *bona fide* for the use and behoof of such purchaser, his heirs and assigns, for ever, and that the same, or any part or parcel thereof, was not in trust for the use of the grantor, his heirs or assigns, in any manner whatsoever; quit rents, commonly called proprietary quit rents, manors, commonly called proprietary manors, and unlocated lands, only excepted. And the deeds or conveyances by which such estate and estates respectively are granted, conveyed and confirmed, expressing and reciting the permission granted by the said council, the same shall be deemed and taken to be good and valid in the law; any thing in this act, or the act and supplement herein before mentioned, to the contrary hereof in any wise notwithstanding.

*The act of
the 13th of
June, 1777,
and supple-
ment to re-
main in
force, ex-
cept, &c.*

SECT. 10. *And be it further enacted,* That the act, intitled, "An Act obliging the male white inhabitants of this state to give assurances of allegiance to the same, and for other purposes therein mentioned," enacted the thirteenth day of June last, and the supplement thereto, enacted the twelfth day of October last, and every clause, matter and thing therein contained, except such parts thereof as are by this act altered, amended or supplied, shall be and remain in full force and effect; any thing herein contained to the contrary notwithstanding.

JOHN BAYARD, SPEAKER.

*Enacted into a law at Lancaster, on Wednesday, the 1st
day of April, in the year 1778.*

JOHN MORRIS, junior, clerk of the general assembly.

C H A P-